

**Los Angeles Regional Water Quality Control Board**

October 24, 2013

Mr. Joe Belanger
General Manager
ADB Industries, Incorporated
2523 North Ontario Street
Burbank, California 91504

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7012 3460 0000 2166 0446

SUBJECT: REVIEW OF CHEMICAL STORAGE AND USE QUESTIONNAIRE AND REQUIREMENT FOR TECHNICAL REPORT PURSUANT TO CALIFORNIA WATER CODE SECTION 13267 ORDER NO. R4-2013-0161

SITE: ADB INDUSTRIES, INCORPORATED FACILITY, 2523 NORTH ONTARIO STREET, BURBANK, CALIFORNIA (FILE NO. 104.0086)

Dear Mr. Belanger:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within major portions of the Los Angeles and Ventura Counties, including the referenced site.

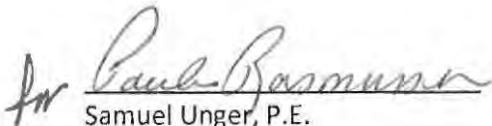
The Regional Board has reviewed the Chemical Storage and Use Questionnaire (CUQ) and additional information dated August 15, 2013, submitted by Mr. Gilbert Covarrubias, Environmental Compliance Manager of B/E Aerospace, Incorporated (B/E Aerospace) for the ADB Industries, Incorporated (ADB Industries) facilities located at 2523 and 2537 North Ontario Street, in the City Burbank, California (the Site). The CUQ and additional information were submitted in response to the Regional Board's California Water Code (CWC) Section 13267 Order No. R4-2013-0085, issued to B/E Aerospace on July 3, 2013.

Based on the review of the CUQ and the additional information, the Regional Board determined that the operations and chemicals used and stored at the Site by ADB Industries may have contributed to the contamination of the regional groundwater. On September 12, 2013, the Regional Board issued a CWC Section 13267 Order No. R4-2013-0125 issued to B/E Aerospace requiring the submittal of a Subsurface Soil Investigation Workplan in order to evaluate the subsurface conditions at the Site. On October 9, 2013, Regional Board staff met with B/E Aerospace representatives who stated that B/E Aerospace is not responsible for the legal obligations or liabilities of ADB Industries and that aluminum dip brazing and chromium conversion operations only occurred at 2523 North Ontario Street, in the City of Burbank, California and that no metal finishing, dip brazing or chromium conversion ever occurred at 2537 North Ontario Street, in the City of Burbank, California.

Enclosed is a Regional Board Order for technical report requirement pursuant to CWC Section 13267 Order No. R4-2013-0161 (Order). The Order requires ADB Industries to prepare and submit a Subsurface Soil Investigation Workplan in order to evaluate the subsurface conditions and the potential for groundwater contamination at 2523 North Ontario Street, in the City of Burbank, California.

Should you have any questions related to this project, please contact Ms. Luz Rabelo via telephone at (213) 576-6783 or via email at luz.rabelo@waterboards.ca.gov.

Sincerely,


Samuel Unger, P.E.
Executive Officer

Enclosure: California Water Code Section 13267 Order No. R4-2013-0161

cc: Ms. Lisa Hanusiak, USEPA Region IX
Mr. Leo Chan, City of Glendale
Mr. Bill Mace, City of Burbank Water Supply Department
Mr. Vahe Dabbaghian, Los Angeles Department of Water & Power
Mr. Milad Taghavi, Los Angeles Department of Water & Power
Mr. Richard Slade, ULARA Watermaster
Mr. John A. Ferroli, Dykema Gossett, LLP
Ms. Karen Kosiarek, Geosyntec

Los Angeles Regional Water Quality Control Board

**ORDER TO PROVIDE A TECHNICAL REPORT FOR
SUBSURFACE SOIL INVESTIGATION
CALIFORNIA WATER CODE SECTION 13267 ORDER NO. R4-2013-0161**

DIRECTED TO ADB INDUSTRIES, INCORPORATED

**ADB INDUSTRIES, INCORPORATED
2523 NORTH ONTARIO STREET, BURBANK, CALIFORNIA
(FILE NO. 104.0086)**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) makes the following findings and issues this Order pursuant to California Water Code (CWC) section 13267, which authorizes the Regional Board to require the submittal of technical and monitoring reports.

1. The groundwater within the San Fernando Valley Groundwater Basin (Basin) has been impacted by discharges of heavy metals, specifically chromium. The San Fernando Valley Superfund Site (Superfund Site) lies within the Basin. The United States Environmental Protection Agency (USEPA) and the Regional Board are investigating the potential sources of the discharges to the Basin. The agencies are currently focused on identifying individuals and companies responsible for the discharges of chromium in the Basin and holding them responsible for the investigation and remediation of the source sites. The property located at 2523 North Ontario Street, in the City of Burbank, California (the Site) is a potential source of chromium and overlies the Basin.
2. ADB Industries, Incorporated (ADB Industries) is the current occupant of the facility located at the Site and formerly operated a facility located at 2537 North Ontario Street, in the City of Burbank, California. ADB Industries was acquired by TSI Group, Incorporated in November 2007. In October 2010, TSI Group, Incorporated was acquired by B/E Aerospace, Incorporated (B/E Aerospace). On July 3, 2013, the Regional Board issued B/E Aerospace a CWC section 13267 Order No. R4-2013-0085 to prepare and submit a Chemical Storage and Use Questionnaire (CUQ) and any additional information available. On August 15, 2013, B/E Aerospace submitted the CUQ and requested information to the Regional Board. Based on our review of the CUQ and additional information, the Regional Board determined that a subsurface soil investigation was required in order to evaluate the subsurface conditions and the potential for groundwater contamination at the Site.

On September 12, 2013, a CWC Section 13267 Order No. R4-2013-0125 was issued to B/E Aerospace to prepare and submit a subsurface soil investigation workplan for the facilities located at 2523 North Ontario Street and 2537 North Ontario Street, in the City of Burbank, California. On October 9, 2013, B/E Aerospace attended a meeting with Regional Board staff in which it stated that it is not responsible for the legal obligations or liabilities of ADB Industries and that aluminum dip brazing and chromium conversion operations only occurred at the property located at 2523 North Ontario Street. Therefore, the Regional Board rescinded the CWC Section 13267 Order No. R4-2013-0125 issued to B/E Aerospace.

3. CWC section 13267(b)(1) states:

"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or, discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

4. The Regional Board has reviewed the CUQ and additional information, submitted by Mr. Gilbert Covarrubias, Environmental Compliance Manager of B/E Aerospace. The CUQ states that operations at the Site include aluminum dip brazing and chromate conversion by chemfilm, including the use of the chromium containing compound Iridite 14-2.

ADB Industries is among the suspected sources of waste discharge in the USEPA Superfund Site because of the operations and the chemicals used and stored at the Site. It is known that groundwater within the Superfund Site, including the vicinity of the ADB Industries facility, is polluted with volatile organic compounds and heavy metals, particularly chromium. To date, a complete subsurface investigation of heavy metals in soil or groundwater has not been performed at the Site.

5. This Order identifies ADB Industries as the entity responsible for the suspected discharges of waste identified in paragraph two (2) and four (4) because ADB Industries operates the facility where the activities occurred that resulted in the suspected discharges of waste.
6. This Order requires the persons/entities named herein to prepare and submit a Subsurface Soil Investigation Workplan (Workplan) in order to evaluate the conditions at the Site and determine if any discharges of heavy metal compounds, specifically chromium, has impacted the soils beneath the Site that could consequently pose a threat to groundwater. You are expected to submit a complete Workplan, as required by this Order, to the Regional Board. The Regional Board may reject the Workplan if it is deemed incomplete and/or require revisions to the Workplan under this Order.
7. The Regional Board needs this information in order to determine whether the Site is a source of discharges of waste, specifically chromium, and to determine whether the subsurface soil conditions at the Site are causing or threatening to cause discharges of waste to the waters of the State within the Basin.
8. The burdens, including costs, of these reports bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The information is necessary to identify sources of discharges of waste to the Basin and to assure adequate cleanup of the ADB Industries facility, which as described above potentially poses significant threats to public health and the environment.

9. The issuance of this Order is an enforcement action by a regulatory agency and is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15321(a)(2), Chapter 3, Title 14 of the California Code of Regulations. This Order requires submittal of technical and/or monitoring reports and work plans. The proposed activities under the work plan are not yet known. It is unlikely that implementation of the work associated with this Order could result in anything more than minor physical changes to the environment. If the implementation may result in significant impacts on the environment, the appropriate lead agency will address the CEQA requirements prior to implementing any work plan.
10. Any person aggrieved by this action of the Regional Board may petition the State Water Resources Control Board (State Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at the following link:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

THEREFORE, IT IS HEREBY ORDERED that ADB Industries pursuant to section 13267(b) of the CWC, is required to:

1. Submit a Subsurface Soil Investigation Workplan (Workplan) to the Regional Board by **December 13, 2013**. Guidance documents to assist you with this task can be found on the Internet at the following links:

"General Work Plan Requirements for a Heavy Metal Soil Investigation"

http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/GeneralWorkplanRequirementsforaHeavyMetalsSoilInvestigation.pdf

"Interim Site Assessment & Cleanup Guidebook (May1996),"

http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/may1996_voc_guidance.shtml

"Quality Assurance Project Plan"

http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/Board_SGV-SFVCleanupProgram_Sept2008_QAPP.pdf

2. The Workplan shall include detailed information of former and existing chromium storage, hazardous waste management, and associated practices.
3. The Workplan must also include proposed soil sampling boring locations which shall extend to a minimum depth of 25 feet below ground surface in the areas of the processes and waste treatment (sumps, clarifiers, etc.), hazardous waste storage area, and chemical storage area.

4. The Workplan must contain a health and safety plan (HASP), as per the guidelines.
5. The Workplan shall include a detailed schedule of implementation of the Workplan, including field work and providing a report of the results to the Regional Board.
6. Upon approval, the Workplan shall be implemented and a report summarizing the results according to the approved schedule must be submitted to the Regional Board.

The above item shall be submitted to:

Ms. Luz Rabelo
Water Resources Control Engineer
Remediation Section
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, California 90013
Phone: (213) 576-6783
Email: luz.rabelo@waterboards.ca.gov

Pursuant to 13267(a) of the CWC, any person who fails to submit reports in accordance with the Order is guilty of a misdemeanor. Pursuant to section 13268(b)(1) of the CWC, failure to submit the required Workplan described above by the specified due date(s) may result in the imposition of administrative civil liability by the Regional Board in an amount up to one thousand dollars (\$1,000) per day for each day the Workplan is not received after the above due date. These civil liabilities may be assessed by the Regional Board for failure to comply, beginning with the date that the violations first occurred, and without further warning.

The Regional Board, under the authority given by the CWC section 13267, subdivision (b)(1), requires you to include a perjury statement in all reports submitted under the 13267 Order. The perjury statement shall be signed by an ADB Industries representative (not by a consultant). The perjury statement shall be in the following format:

"I, [NAME], certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision, in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The State Board adopted regulations (Chapter 30, Division 3 of Title 23 & Division 3 of Title 27, California Code of Regulation) requiring the electronic submittal of information (ESI) for all site cleanup programs, starting January 1, 2005. Currently, all of the information on electronic submittals and GeoTracker contacts can be found on the Internet at the following link:

http://www.waterboards.ca.gov/ust/electronic_submittal.

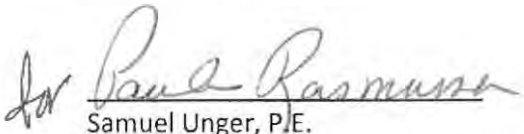
Mr. Joe Belanger
ADB Industries, Incorporated

- 5 -

October 24, 2013

To comply with the above referenced regulation, you are required to upload all technical reports, documents, and well data to GeoTracker by the due dates specified in the Regional Board letters and orders issued to you or for the Site. However, the Regional Board may request that you submit hard copies of selected documents and data in addition to electronic submittal of information to GeoTracker.

SO ORDERED.


Samuel Unger, P.E.
Executive Officer

10-24-2013
Date